

MAGOFFIN COUNTY WATER DISTRICT

P.S.C. Ky. No.

Cancels P.S.C. Ky. No.

MAGOFFIN COUNTY WATER DISTRICT

OF

MAGOFFIN AND FLOYD COUNTIES

Rates, Rules and Regulations for Furnishing
Water Service

AT

MAGOFFIN AND FLOYD COUNTIES

Filed with PUBLIC SERVICE COMMISSION OF
KENTUCKY

ISSUED April 8, 1996 PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE April 8, 1996

APR 08 1996

PURSUANT TO 807 KAR 5011.
SECTION 9(1)

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

ISSUED BY MAGOFFIN COUNTY WATER DISTRICT
(Name of Utility)

BY: Roy C. Cain
Roy C. Cain, Chairman

Form for filing Rate Schedules

For MAGOFFIN COUNTY

Community, Town or City

P.S.C. NO. 2

Original SHEET NO. 1

CANCELLING P.S.C. NO. 1

Original SHEET NO. 1

MAGOFFIN COUNTY WATER DISTRICT

Name of Issuing Corporation

CLASSIFICATION OF SERVICE

RATE
PER UNIT

WATER CONNECTION CHARGES

SIZE OF CONNECTION

CONNECTION CHARGE

5/8 inch x 3/4 inch

\$300.00

1 inch

Actual cost of materials and installation

2 inch

Actual cost of materials and installation

MINIMUM RATES BASED ON SIZE CONNECTIONS

Size of Water
Connection

Number of Gallons
of Water Per Month
to be Provided for
the Minimum Rate

Minimum Monthly
Water Rate Meter
Per Connection

5/8 inch x 3/4 inch

2,000 gallons

~~\$11.46~~

1 inch

5,000 gallons

~~\$25.80~~

2 inch

15,000 gallons

~~\$65.60~~

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

DEC 2 1990

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: [Signature]
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE 12-19-90

DATE EFFECTIVE 12-2-90

SUED BY [Signature]
Name of Officer

TITLE Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. 70422 dated January 18, 1991.

Form for filing Rate Schedules

For MAGOFFIN COUNTY WATER DISTRICT
Community, Town or City

P.S.C. NO. _____

SHEET NO. _____

MAGOFFIN COUNTY WATER DISTRICT
Name of Issuing Corporation

CANCELLING P.S.C. NO. _____

SHEET NO. _____

CLASSIFICATION OF SERVICE

RESIDENTIAL RATES5/8" x 3/4" Meter

First 2,000 Gallons

Next 3,000 Gallons

Next 5,000 Gallons

Over 10,000 Gallons

\$13.86 Minimum Bill

6.13 Per 1,000 Gallons

5.63 Per 1,000 Gallons

5.13 Per 1,000 Gallons

1 Inch Meter

First 5,000 Gallons

Next 5,000 Gallons

Over 10,000 Gallons

\$32.25 Minimum Bill

5.63 Per 1,000 Gallons

5.13 Per 1,000 Gallons

COMMERCIAL RATES3/4" Meter

First 3,000 Gallons

Next 2,000 Gallons

Next 5,000 Gallons

Next 5,000 Gallons

Over 15,000 Gallons

\$25.14 Minimum Bill

8.03 Per 1,000 Gallons

7.38 Per 1,000 Gallons

6.73 Per 1,000 Gallons

6.43 Per 1,000 Gallons

1 Inch Meter

First 5,000 Gallons

Next 5,000 Gallons

Next 5,000 Gallons

Over 15,000 Gallons

\$41.20 Minimum Bill

7.38 Per 1,000 Gallons

6.73 Per 1,000 Gallons

6.43 Per 1,000 Gallons

2 Inch Meter

First 15,000 Gallons

Over 15,000 Gallons

\$111.75 Minimum Bill

6.43 Per 1,000 Gallons

Disconnect/Reconnect Fee

\$25.00

Connection Fee

\$325.00

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUN 01 2003

PURSUANT TO 807 KAR 5.011
SECTION 9 (1)BY Charles H. Dyer
EXECUTIVE DIRECTORDATE OF ISSUE May 15, 2003DATE EFFECTIVE June 1, 2003ISSUED BY PAUL H. SALYERTITLE CHAIRMAN

Name of Officer

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. 2003-00144 dated May 15, 2003.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

FOR MAGOFFIN COUNTY

P.S.C. Ky. No. 1

original Sheet No. 3

Magoffin County Water District

Cancelling P.S.C. Ky. No.

PURSUANT TO 807 KAR 5:011,

SECTION 9 (B)

BY:

J. Deeghegan

Sheet No.

RULES AND REGULATIONS

The following rules and regulations are hereby adopted, subject to change by the Water District Commission at any time, subject to approval of the Public Service Commission through the filing of revised tariff sheets with the PSC. These rules and regulations are intended to supplement the Bond Resolution, the Rate Resolution, and the By-Laws.

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
- B. Water service may be discontinued by the District for, upon 10 days' written notice (except that in the event of a violation under Item 7 below, water service may be terminated immediately), any violation of any rule, regulation, or condition, and especially for any of the following reasons:
 1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
 2. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of the water.
 3. Resale of water.
 4. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair.
 5. Tampering with meter, meter seal, service, or valves, or permitting such tampering by others.
 6. Connection, cross-connection, or permitting the same, of any separate water supply to premises which receive water from the District.
 7. When a dangerous condition is found to exist on the customer's or applicant's premises, with reference to the continuation of water service, water service shall be cut off without notice or shall be refused, provided the District shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the corrective action to be taken by the applicant or customer before service can be restored.

DATE OF ISSUE 10-24-86

Month Day Year

DATE EFFECTIVE 1-4-85

Month Day Year

ISSUED BY

J. Deeghegan
Name of Officer

Chairman

Title

P.O. Box 490, Salyersville, KY
Address

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

FOR MAGOFFIN COUNTY

P.S.C. Ky. No. 1

original Sheet No. 4

Magoffin County Water District

JAN 04 1985

Cancelling P.S.C. Ky. No. _____

PURSUANT TO 807 KAR 5-011,

SECTION 9 (1)

BY: J. Neugebauer
RULES AND REGULATIONS

Sheet No. _____

- C. Any customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in person or in writing at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinue service, and the customer shall not be liable for water consumed beyond the date of discontinuance stated in such notice; if such notice in person or in writing is not given, a customer shall remain liable for all water used and service rendered to such premises by the District until such notice is received by the District.
- D. Bills and notices relating to the conduct of the business of the District will be mailed to the customer at the address listed on the user's agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or any performance required in said notice.
- E. 1. Bills for water service are due and payable at the office of the District, or to any designated agent, on the date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.
2. All bills not paid on or before the past due date shall be deemed delinquent. When a bill has been delinquent for a period of twenty days, the District shall serve a customer a written final notice of said delinquency, and of the intent of the District to discontinue service ten days after the date of such notice unless such bill is paid prior to the expiration of such ten days. If a delinquent bill is not paid within ten days after date of such final notice (thirty days from the past due date), the water supply to the customer may be discontinued without further notice; provided, however, if, prior to discontinuance of service, there is delivered to the District, or to its employee empowered to discontinue service, a written certificate signed by a physician, a registered nurse, or a public health officer that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until ten (10) days elapse from the time of the District's receipt of said certification, whichever occurs first.

DATE OF ISSUE 10-24-86

Month Day Year

DATE EFFECTIVE 1-4-85

Month Day Year

ISSUED BY J. Neugebauer

Name of Officer

Chairman

Title

P.O. Box 490, Salyersville, KY

Address

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

FOR MAGOFFIN COUNTY

P.S.C. Ky. No. 1

original Sheet No. 5

Magoffin County Water District

JAN 04 1985
PURSUANT TO 807 KAR 011,
SECTION 9(1)

Cancelling P.S.C. Ky. No. _____

BY: J. Logghegan

Sheet No. _____

RULES AND REGULATIONS

- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of \$15.00 will be made for reconnection of water service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid.
- G. The District reserves the right to request that a nominal amount be placed on deposit with the District for the purpose of establishing or maintaining any customer's credit, such amount not to exceed two-twelfths (2/12) of the estimated annual bill of such customer. Upon the payment of such deposit, the District shall issue to such customer a certificate of deposit, showing the name of the customer, the location of the initial premises occupied by the customer, and the date and amount of the deposit. The District will pay to such customer interest on such deposit at the rate of six percent (6%) per annum, until such deposit is reimbursed to the customer.
- H. All meters shall be installed, renewed, and maintained at the expense of the District, and the District reserves the right to determine the size and type of meter used.
- I. It shall be the policy of the District to test each water meter at least once every 12 months. In addition, upon written request of any customer, the meter serving such customer shall be tested by the District. Such test will be made without charge to the customer if the meter has not been tested within 12 months preceding the requested test; otherwise, a charge of \$20.00 will be made and then only if the test indicates meter accuracy within the limits of 2%.

If a meter is inaccurate in excess of 2%, whether upon periodic testing or upon requested testing, additional tests shall be made at once to determine the average error of the meter, and the adjustments shall be made in the customer's water bills as follows:

1. If the result of such tests shows an average error greater than 2% fast, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error

DATE OF ISSUE 01-24-86

Month Day Year

DATE EFFECTIVE 1-4-85

Month Day Year

ISSUED BY J. Logghegan

Name of Officer

Chairman

Title

P.O. Box 490 Salyersville, KY

Address

FOR MAGOFFIN COUNTY
PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

P.S.C. Ky. No. 1

JAN 04 1985

original Sheet No. 6

Magoffin County Water District

PURSUANT TO 807 KAR 5.011,

Cancelling P.S.C. Ky. No. _____

SECTION 9 (1)

BY: J. Deeghegan

Sheet No. _____

RULES AND REGULATIONS

existed cannot be determined, then the customer's bill shall be recomputed for one-half (1/2) of the elapsed time since the last previous test, but in no event to exceed 12 months; provided, however, that if time for the periodic test has overrun to the extent that 1/2 of the time elapsed since the last previous test exceeds 12 months, the refund shall be for the 12 months specified above, plus those months exceeding the periodic test period; provided, further, that such refund may be limited to the 12 months period if failure to make the periodic test was due to causes beyond the control of the District.

2. If the result of such tests shows an average error greater than 2% slow, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error existed cannot be determined, then the customer's bill shall be recomputed for one-half (1/2) of the elapsed time since the last previous test, but in no event to exceed 12 months.
3. If the result of such tests necessitates making a refund or back billing a customer, the customer shall be notified in writing of the percentage of error, fast or slow, the date(s) of testing, and the amount of charges or credit to be shown on the next bill of the customer.
- J. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six months consumption and the conditions of water service prevailing during the period in which the meter failed to register.
- K. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay. When the service is interrupted all consumers affected by such interruption will be notified in advance whenever it is possible.
- L. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of

DATE OF ISSUE 10-24-86

Month Day Year

DATE EFFECTIVE 1-4-85

Month Day Year

ISSUED BY J. Deeghegan

Name of Officer

Chairman

Title

P.O. Box 490, Salyersville, KY

Address

FOR MAGOFFIN COUNTY

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

P.S.C. Ky. No. 1

original Sheet No. 7

JAN 04 1985

Magoffin County Water District

Cancelling P.S.C. Ky. No. _____

PURSUANT TO 807 KAR 5:011,

SECTION 9 (2)

BY: J. Decker
RULES AND REGULATIONS

Sheet No. _____

machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.

- M. Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice.
- N. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said premises, shall at all reasonable hours be subject to inspection by the District.
- O. Piping on the premises of a customer must be so installed that connections are conveniently located within respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.
- P. (1) An extension of fifty (50) feet or less to the District's distribution main shall be made without charge (other than the prescribed standard connection charge) for a prospective customer who shall apply for and contract to use service for one (1) year or more and who provides a guarantee for such service.
- (2) For each extension of the District's distribution main in excess of fifty (50) feet, the District shall require the customer to whose premises such extension is made to deposit with the District the total cost of the excessive footage over fifty (50) feet, based on the average estimated cost per foot of the total extension. Such deposit may be refundable to the customer in certain instances, in accordance with Title 807 KAR 5:066, Section 12(2).
- Q. If any loss or damage to the property of the District or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent, or employee, as determined by a court of law having jurisdiction

DATE OF ISSUE 10-24 86

Month Day Year

DATE EFFECTIVE 1-4-85

Month Day Year

ISSUED BY J. Decker
Name of Officer

Chairman P.O. Box 490, Salyersville, KY
Title Address

FOR MAGOFFIN COUNTY

P.S.C. Ky. No. 1

original Sheet No. 8

Magoffin County Water District

Cancelling P.S.C. Ky. No.

Sheet No.

RULES AND REGULATIONS

over the parties, the cost of the necessary repairs or replacements shall be paid by the customer to the District, and any liability otherwise resulting shall be that of the customer.

- R. Water furnished by the District may be used for domestic consumption by the customer, member or his household, and employees only. The customer shall not sell the water to any other person.
- S. All customers shall grant or convey, or shall cause to be granted or conveyed, to the District a perpetual easement and right of way across any property owned or controlled by the customer wherever said easement or right of way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.
- T. Complaints may be made to the operator of the system whose decision may be appealed to the Commission of the District within ten days; otherwise, the operator's decision will be final.

I, the undersigned Secretary of the above named Water District, do hereby certify the foregoing to be a true and accurate copy of the By-Laws, Rules, and Regulations of said District as adopted by its Commission.

WITNESS my signature and the Seal of the District this January 4, 1985.

(Seal of District)

SECRETARY OF THE WATER DISTRICT
PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JAN 04 1985

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: J. L. Langan

DATE OF ISSUE 10-24-86

Month Day Year

DATE EFFECTIVE 1-4-85

Month Day Year

ISSUED BY

Name of Officer

Chairman

Title

P.O. Box 490, Salyersville, KY

Address

Form for filing Rate Schedules

FOR MAGOFFIN COUNTYCommunity, Town or CityP.S.C. NO. 1

SHEET NO. _____

CANCELLING P.S.C. NO. _____

SHEET NO. _____

MAGOFFIN COUNTY WATER DISTRICT

Name of Issuing CorporationCLASSIFICATION OF SERVICERATE
PER UNITDEPOSITS

The Company may require a minimum cash deposit or other guaranty to secure payment of bills. ~~except for customers qualifying for service reconnection pursuant to 807 KAR 5:006, Section 15, Winter Hardship Reconnection.~~ Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 74.050 will be paid annually either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived upon a customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, a deposit may then be required. The Company may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

In determining whether a deposit will be required or waived, the following criteria will be considered:

1. Previous payment history with the Company. If the customer has no previous history with the Company, statements from other utilities, banks, etc. may be presented by the customer as evidence of good credit.
2. Whether the customer has an established income or line of credit.
3. Length of time the customer has resided or been located in the area.
4. Whether the customer owns property in the area.
5. Whether the customer has filed bankruptcy proceedings within the last seven years.
6. Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

If a deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or 10 percent for a non-residential customer, the Company may collect any underpayment and shall refund any overpayment by check or credit to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculation.

1. ~~Water districts should substitute KRS 74.050 and water associations should substitute KRS 273.393 since these statutes govern the rate of interest to be paid by water districts and associations.~~ **EFFECTIVE SEP 1 1992**

DATE OF ISSUE July 29, 1992DATE EFFECTIVE September 1, 1992ISSUED BY [Signature]
Name of OfficerTITLE CHAIRMAN PURSUANT TO 807 KAR 5:011,

Issued by authority of an Order of the Public Service Commission of Kentucky

BY [Signature]
PUBLIC SERVICE COMMISSION MANAGER

in Case No. _____ dated _____

Form for filing Rate Schedules

FOR MAGOFFIN COUNTY

Community, Town or City

P.S.C. NO. 1

SHEET NO.

CANCELLING P.S.C. NO.

SHEET NO.

MAGOFFIN COUNTY WATER DISTRICT

Name of Issuing Corporation

CLASSIFICATION OF SERVICE

RATE
PER UNIT

Equal Deposits

Residential Customers

(Insert above: Business/Commercial or residential or all) Customers will pay equal deposits in the amount of \$ 50.00. This amount does not exceed the average bill of residential customers served by the Company and is equal to 2/12 of the average annual bill. [3/12 where bills are rendered bimonthly or 4/12 where bills are rendered quarterly.]

7/1/91 - 6/30/92 Amount Billed \$239,643.73
No. of Customers 1,293 = \$27.04 Average Mo. Bill

Average Monthly Bill \$27.04 X 2 = \$54.08

We have residential rates only

Late Payment Charge: All water bills are to be paid by the 15th of each month. All bills not paid by that date will be late and a 10 percent late charge shall be added to the bill.

Returned Check Charge: There shall be a \$5.00 charge per check returned.

Termination or Field Collection Charge: When the utility representative goes to terminate service and the customer pays the delinquent bill to avoid termination there shall be a \$5.00 charge.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

SEP 1 1992

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

DATE OF ISSUE July 29, 1992

ISSUED BY *Wayne C. Cass*
Name of Officer

DATE EFFECTIVE *September 1, 1992*

TITLE CHAIRMAN PUBLIC SERVICE COMMISSION MANAGER

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. _____ dated _____.

Form for filing Rate Schedules

FOR MAGOFFIN COUNTY
Community, Town or City

P.S.C. NO. 1

SHEET NO. _____

CANCELLING P.S.C. NO. _____

SHEET NO. _____

MAGOFFIN COUNTY WATER DISTRICT

Name of Issuing Corporation

CLASSIFICATION OF SERVICE

RATE
PER UNIT

MONITORING OF CUSTOMER USAGE

At least once annually the Company will monitor the usage of each customer according to the following procedure:

1. The customer's annual usage for the most recent 12-month period will be compared with the annual usage for the 12 months immediately preceding that period.
2. If the annual usage for the two periods are substantially the same or if any difference is known to be attributed to unique circumstances, such as unusual weather conditions, common to all customers, no further review will be done.
3. If the annual usages differ by 40 percent or more and cannot be attributed to a readily identified common cause, the Company will compare the customer's monthly usage records for the 12-month period with the monthly usage for the same months of the preceding year.
4. If the cause for the usage deviation cannot be determined from analysis of the customer's meter reading and billing records, the Company will contact the customer by telephone or in writing to determine whether there have been changes such as different number of household members or work staff, additional or different appliances, changes in business volume, or known leaks in the customer's service line.
5. Where the deviation is not otherwise explained, the Company will test the customer's meter to determine whether it shows an average error greater than 2 percent fast or slow.
6. The Company will notify the customers of the investigation, its findings, and any refunds or backbilling in accordance with 807 KAR 5:006, Section 10(4) and (5).

In addition to the annual monitoring, the Company will immediately investigate usage deviations brought to its attention as a result of its on-going meter reading or billing processes or customer inquiry.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

SEP 1 1992

DATE OF ISSUE July 29, 1992

ISSUED BY [Signature]
Name of Officer

DATE EFFECTIVE September 1, 1992

TITLE CHAIRMAN PURSUANT TO 807 KAR 5:011, SECTION 9(1)

Issued by authority of an Order of the Public Service Commission of Kentucky
in Case No. _____ dated _____
PUBLIC SERVICE COMMISSION MANAGER

- Form for filing Rate Schedules

For Community, Town or City

P.S.C. NO. _____

SHEET NO. _____

CANCELLING P.S.C. NO. _____

SHEET NO. _____

MAGOFFIN Co. W.D.
Name of Issuing Corporation

FORWARD & ADDRESS CORRECTION

ACCOUNT NO.:

ITEM

AMOUNT

CODE

READING DATE

PREVIOUS READING

CURRENT READING

USAGE

NR

AMOUNT

RATE
PER UNIT

GROSS AMOUNT
DUE AFTER DUE DATE

PAID DUE NOW

THIS AMOUNT
DUE AFTER

OTHER
READING

RETURN TO US WITH PAYMENT

MAGOFFIN CO. WATER DISTRICT

P.O. BOX 490

ALYERSVILLE, KY 41465

PHONE 349-6812

IN EMERGENCIES DIAL 349-5324 or 349-2803

10% PENALTY ADDED TO ALL BILLS AFTER 15th OF MONTH.
RATES FURNISHED UPON REQUEST

ENCLOSE THIS BILL
WHEN PAYING BY MAIL
FOR PROPER CREDIT

MAGOFFIN CO. WATER
DISTRICT
P.O. BOX 490
ALYERSVILLE, KY 41465
PHONE 349-6812
IN EMERGENCIES DIAL:
349-5324 or 349-2803

10% PENALTY ADDED TO ALL
BILLS AFTER 15th OF MONTH
RATES FURNISHED UPON
REQUEST

CODES: WT - WATER
SWR - SEWER
GS - GAS
FR - FEE ADJUSTMENT
TP - TARIFF
BC - BROADCAST CHARGE
SC - SERVICE CHARGE
CF - CONNECTION FEE
CR - CREDIT BALANCE
NR - RATE DUE BALANCE
TX - TAXES
EA - ESTIMATION ADJUSTMENT
EF - ESTIMATION FEE
RA - RATE ADJUSTMENT

USAGE CODES:

E - ESTIMATED

M - METERED

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

APR 21 1993

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: [Signature]
PUBLIC SERVICE COMMISSION MANAGER

DATE

ISSU

ISSU

in

APPROVED BY: [Signature] - IN CHARGE

RECEIVED
MAY 24 2001
PUBLIC SERVICE
COMMISSION

WATER SHORTAGE RESPONSE PLAN

MAGOFFIN COUNTY WATER DISTRICT

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the MAGOFFIN COUNTY WATER DISTRICT in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity using water for any purpose from the MAGOFFIN COUNTY WATER DISTRICT water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the MAGOFFIN COUNTY WATER DISTRICT.
- (c) "Treated Water" shall mean water that has been introduced by the MAGOFFIN COUNTY WATER DISTRICT into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

Water Hauling:

- sales of domestic use where not available elsewhere.

Public Use:

- firefighting,

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY Stephan O. Bell
SECRETARY OF THE COMMISSION

JUN 23 2001

- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,
- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,

PUBLIC SERVICE COMMISSION
OF KENTUCKY
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JUN 23 2001

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- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

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Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

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Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

- (d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

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- (f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages. PURSUANT TO 89 KAR 5.011, SECTION 9 (1)

- (g) Water Shortage Response Phases:

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"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

- (h) "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the MAGOFFIN COUNTY WATER DISTRICT. When implemented, this Plan becomes Magoffin Co. Water Dist. Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the MAGOFFIN COUNTY FISCAL COURT AND THE MAGOFFIN COUNTY WATER DISTRICT.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the CHAIRMAN of MAGOFFIN COUNTY WATER DISTRICT.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

- (1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 15% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the MAGOFFIN COUNTY WATER DISTRICT draws water. (Note: Additional conditions may be added based on local conditions.)

(2) Conservation and Curtailment Measures:

- (a) Declare a Water Shortage Advisory.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Request voluntary conservation of all non-essential (Class 3) water use.
- (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 10% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

(2) Conservation and Curtailment Measures:

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (Class 3) water uses.

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- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
- (f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$2.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 20% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
2. Conservation and Curtailment Measures:
 - (a) Declare Water Shortage Emergency.
 - (b) Provide proper notice to all customers and to all local news media.
 - (c) Eliminate all water leaks.
 - (d) Prohibit all Class 3 uses of water.
 - (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
 - (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
 - (g) Curtail Residential entitlements by the same percentage as the projected shortage.
 - (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
 - (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$5.00 per 1,000 gallons.

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D. Rationing Stage:

1. Criteria: Treated water available is greater than 40% below demand or raw water supplies are below

the level necessary to meet essential needs, and in the opinion of MAGOFFIN COUNTY WATER DISTRICT mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of \$10.00 per 1,000 gallons.

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Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard

before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

(a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the MAGOFFIN COUNTY WATER DISTRICT for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

Section 10. Severability. If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.

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